

BILL ANALYSIS

S.B. 227
By: Huffman
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note confusion regarding the ability of prosecutors to convict individuals who possess or deliver certain federally approved drugs that were not prescribed to those individuals. S.B. 227 seeks to eliminate this confusion.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 227 repeals Section 481.103(d), Health and Safety Code, which makes the inclusion of a substance listed under Penalty Group 2 of the Texas Controlled Substances Act inapplicable and prohibits the conviction of a person for manufacturing, delivering, or possessing such a substance if the substance is approved by the Federal Drug Administration.

EFFECTIVE DATE

September 1, 2017.